

1 GEOFFREY A. HANSEN  
2 Acting Federal Public Defender  
3 Northern District of California  
4 SEVERA KEITH  
5 Assistant Federal Public Defender  
6 55 South Market Street, Suite 820  
San Jose, CA 95113  
Telephone: (408) 291-7753  
Facsimile: (408) 291-7399  
Email: Severa.Keith@fd.org

Counsel for Defendant WOLFENBARGER

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

V.

JOHNNY RAY WOLFENBARGER,

Defendant.

Case No. CR 16-00519 LHK

**MOTION TO WITHDRAW AS  
COUNSEL; ~~PROPOSED~~ ORDER**

## MOTION

The Federal Public Defender, by and through Assistant Federal Public Defender Severa Keith, hereby moves to withdraw as counsel for defendant Wolfenbarger in the above-captioned case. This motion is made for the following reasons:

On August 12, 2012, Mr. Wolfenbarger was convicted by jury of Count 1: Attempted Production of Child Pornography (18 U.S.C. §2251 (a) and (c)); Count 2: Attempted Coercion and Enticement of Minors (18 U.S.C. §2422(b)), and Count 3: Receipt of Child Pornography (18 U.S.C. 2252(a)(2)). Sentencing is scheduled for December 8, 2021.

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On Saturday, December 4, 2021, Mr. Wolfenbarger indicated to me that he wanted new counsel in this matter, citing hearing and trial performance as the reason he wanted new counsel. Because Mr. Wolfenbarger desires to raise claims of ineffective assistance by the Federal Public Defender, it is respectfully requested that the Federal Public Defender be relieved as counsel.

Dated: December 6, 2021

Respectfully submitted,

GEOFFREY A. HANSEN  
Acting Federal Public Defender  
Northern District of California

/S  
SEVERA KEITH  
Assistant Federal Public Defender

1 **[PROPOSED] ORDER**

2 GOOD CAUSE APPEARING, upon motion of the Federal Public Defender, IT IS HEREBY  
3 ORDERED that the Federal Public Defender is relieved as counsel for defendant Johnny Ray  
4 Wolfenbarger in the above-captioned case.

5 IT IS SO ORDERED.

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7 Dated: December 6, 2021

8   
9 THE HONORABLE LUCY H. KOH  
10 United States District Court Judge

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